

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LARRY ROBERT GLOVER,
Petitioner,
v.
MIDDLETON, et al.,
Respondents.

No. 2:22-CV-0056-KJM-DMC-P
ORDER

Petitioner, a state prisoner proceeding pro se, brings this petition for a writ of habeas corpus under 28 U.S.C. § 2254. Pending before the Court is Petitioner's motion for the appointment of counsel, ECF No. 13.

There currently exists no absolute right to appointment of counsel in habeas proceedings. See Nevius v. Sumner, 105 F.3d 453, 460 (9th Cir. 1996). However, 18 U.S.C. § 3006A authorizes the appointment of counsel at any stage of the case "if the interests of justice so require." See Rule 8(c), Fed. R. Governing § 2254 Cases. In the present case, the Court does not find that the interests of justice would be served by the appointment of counsel at the present time. Petitioner has requested appointed counsel once before, which was denied without prejudice to renewal following a response to Petitioner's petition. See ECF No. 3; ECF No. 6. No response has yet been filed.

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1 Accordingly, IT IS HEREBY ORDERED that Petitioner's motion for appointment
2 of counsel, ECF No. 13, is denied without prejudice to renewal, at the earliest, after a response to
3 the petition has been filed.

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5 Dated: June 2, 2022

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DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE